
Introduced by Senator O'Connell

February 8, 2002

An act to amend Section 2530.2 of the Business and Professions Code, relating to the speech-language pathologists.

LEGISLATIVE COUNSEL'S DIGEST

SB 1379, as introduced, O'Connell. Speech-language pathologists: endoscopies.

Existing law, the Speech-Language Pathologists and Audiologists Licensure Act, authorizes the licensure, regulation and discipline of speech-language pathologists and audiologists by the Speech-Language Pathology and Audiology Board. Existing law defines the practice of speech-language pathology.

This bill would expand the definition of speech-language pathology by authorizing a speech-language pathologist to use a rigid or flexible endoscope in a health care setting to observe the pharynx and larynx areas of the throat in order to observe, collect data, and measure the parameters of communication and swallowing and to guide communication and swallowing assessment and therapy.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2530.2 of the Business and Professions
2 Code is amended to read:
3 2530.2. As used in this chapter, unless the context otherwise
4 requires:

1 (a) “Board” means the Speech-Language Pathology and
2 Audiology Board or any successor.

3 (b) “Person” means any individual, partnership, corporation,
4 limited liability company, or other organization or combination
5 thereof, except that only individuals can be licensed under this
6 chapter.

7 (c) A “speech-language pathologist” is a person who practices
8 speech-language pathology.

9 ~~(d) “The practice of speech-language pathology” means the~~
10 ~~application of principles, methods, and procedures for~~
11 ~~measurement, testing, identification, prediction, counseling, or~~
12 ~~instruction related to the development and disorders of speech,~~
13 ~~voice, or language for the purpose of identifying, preventing,~~
14 ~~managing, habilitating or rehabilitating, ameliorating, or~~
15 ~~modifying those disorders and conditions in individuals or groups~~
16 ~~of individuals; conducting hearing screenings; and the planning,~~
17 ~~directing, conducting and supervision of programs for~~
18 ~~identification, evaluation, habilitation, and rehabilitation of~~
19 ~~disorders of speech, voice, or language.~~

20 ~~(e) “The practice of speech-language pathology” includes: (1)~~
21 ~~the application of principles, methods, instrumental procedures,~~
22 ~~and noninstrumental procedures for measurement, testing,~~
23 ~~screening, evaluation, identification, prediction, and counseling~~
24 ~~related to the development and disorders of speech, voice,~~
25 ~~language, or swallowing; (2) the application of principles and~~
26 ~~methods for preventing, planning, directing, conducting, and~~
27 ~~supervising programs for habilitating, rehabilitating,~~
28 ~~ameliorating, managing, or modifying disorders of speech, voice,~~
29 ~~language, or swallowing in individuals or groups of individuals;~~
30 ~~and (3) conducting hearing screenings.~~

31 ~~(e) Instrumental procedures referred to in subdivision (d)~~
32 ~~include the use of rigid and flexible endoscopes to observe the~~
33 ~~pharynx and the larynx areas of the throat in order to observe,~~
34 ~~collect data, and measure the parameters of communication and~~
35 ~~swallowing as well as to guide communication and swallowing~~
36 ~~assessment and therapy.~~

37 ~~(f) The use of rigid and flexible endoscopes referred to in~~
38 ~~subdivisions (d) and (e) shall be limited to health care settings and~~
39 ~~conditions established by the board.~~

(g) “Speech-language pathology aide” means any person meeting the minimum requirements established by the board, who works directly under the supervision of a speech-language pathologist.

~~(f)~~

(h) (1) “Speech-language pathology assistant” means a person who meets the academic and supervised training requirements set forth by the board and who is approved by the board to assist in the provision of speech-language pathology under the direction and supervision of a speech-language pathologist who shall be responsible for the extent, kind, and quality of the services provided by the speech-language pathology assistant.

(2) The supervising speech-language pathologist employed or contracted for by a public school may hold a valid and current license issued by the board, a valid, current, and professional clear clinical or rehabilitative services credential in language, speech, and hearing issued by the Commission on Teacher Credentialing, or other credential authorizing service in language, speech, and hearing issued by the Commission on Teacher Credentialing that is not issued on the basis of an emergency permit or waiver of requirements. For purposes of this paragraph, a “clear” credential is a credential that is not issued pursuant to a waiver or emergency permit and is as otherwise defined by the Commission on Teacher Credentialing. Nothing in this section referring to credentialed supervising speech-language pathologists expands existing exemptions from licensing pursuant to Section 2530.5.

~~(g)~~

(i) An “audiologist” is one who practices audiology.

~~(h)~~

(j) “The practice of audiology” means the application of principles, methods, and procedures of measurement, testing, appraisal, prediction, consultation, counseling, instruction related to auditory, vestibular, and related functions and the modification of communicative disorders involving speech, language, auditory behavior or other aberrant behavior resulting from auditory dysfunction; and the planning, directing, conducting, supervising, or participating in programs of identification of auditory disorders, hearing conservation, cerumen removal, aural habilitation, and rehabilitation, including, hearing aid

1 recommendation and evaluation procedures including, but not
2 limited to, specifying amplification requirements and evaluation
3 of the results thereof, auditory training, and speech reading.

4 ~~(j)~~

5 (k) “Audiology aide” means any person, meeting the
6 minimum requirements established by the board, who works
7 directly under the supervision of an audiologist.

8 ~~(j)~~

9 (l) “Medical board” means the Medical Board of California or
10 a division of the board.

11 ~~(k)~~

12 (m) A “hearing screening” performed by a speech-language
13 pathologist means a binary puretone screening at a preset intensity
14 level for the purpose of determining if the screened individuals are
15 in need of further medical or audiological evaluation.

16 ~~(j)~~

17 (n) “Cerumen removal” means the nonroutine removal of
18 cerumen within the cartilaginous ear canal necessary for access in
19 performance of audiological procedures that shall occur under
20 physician and surgeon supervision. Cerumen removal, as provided
21 by this section, shall only be performed by a licensed audiologist.
22 Physician and surgeon supervision shall not be construed to
23 require the physical presence of the physician, but shall include all
24 of the following:

25 (1) Collaboration on the development of written standardized
26 protocols. The protocols shall include a requirement that the
27 supervised audiologist immediately refer to an appropriate
28 physician any trauma, including skin tears, bleeding, or other
29 pathology of the ear discovered in the process of cerumen removal
30 as defined in this subdivision.

31 (2) Approval by the supervising physician of the written
32 standardized protocol.

33 (3) The supervising physician shall be within the general
34 vicinity, as provided by the physician-audiologist protocol, of the
35 supervised audiologist and available by telephone contact at the
36 time of cerumen removal.



1 (4) A licensed physician and surgeon may not simultaneously
2 supervise more than two audiologists for purposes of cerumen
3 removal.

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